

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI  
WESTERN DIVISION**

**CORDELLRA MCCALEY**

**PLAINTIFF**

**v.**

**CIVIL ACTION NO. 5:18-cv-43-DCB-MTP**

**PELICIA HALL, ET AL.**

**DEFENDANTS**

**REPORT AND RECOMMENDATION**

The parties appeared and participated in an omnibus hearing before the undersigned on January 24, 2019. During the hearing, Plaintiff stated that he no longer wishes to pursue his claims against Pelicia Hall and Monica Carter and requested that Hall and Carter be dismissed from this action. The Court explained that the dismissal of Hall and Carter would be with prejudice. Plaintiff testified that he understood the consequences of such a dismissal. Plaintiff also testified that he is of sound mind and judgment, is not under any undue influence or pressure to dismiss his claims against these defendants, and is doing so voluntarily. No defendant opposed Plaintiff's request.

Thus, the undersigned recommends that:

1. Pelicia Hall be dismissed with prejudice,
2. Monica Carter be dismissed with prejudice, and
3. This case continue as to the remaining Defendants.

**NOTICE OF RIGHT TO OBJECT**

In accordance with the rules and 28 U.S.C. § 636(b)(1), any party within fourteen days after being served a copy of this recommendation, may serve and file written objections to the recommendations, with a copy to the judge, the magistrate judge and the opposing party. The District Judge at the time may accept, reject or modify in whole or part, the recommendations of

the Magistrate Judge, or may receive further evidence or recommit the matter to this Court with instructions. The parties are hereby notified that failure to file written objections to the proposed findings, conclusions, and recommendations contained within this report and recommendation within fourteen days after being served with a copy shall bar that party, except upon grounds of plain error, from attacking on appeal the proposed factual findings and legal conclusions accepted by the district court to which the party has not objected. *Douglass v. United Servs. Auto. Ass'n*, 79 F.3d 1415, 1428-29 (5th Cir. 1996).

THIS the 31st day of January, 2019.

s/ Michael T. Parker

United States Magistrate Judge